



<b>INFORMATION DISCLOSURE CITATION FORM FOR PATENT APPLICATION (FORM PTO-1449) (Substitute)</b>	Docket No.: 879A.0067.U1(US)	Serial No.: 10/579,402
	Applicant(s): Sebire et al.	
	Filing Date: 01-12-2007	Group: 2616

**U.S. PATENT DOCUMENTS**

Examiner Initials	Document Number (Number-Kind Code)	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant	Class	Sub-class
	US- US- US- US- US- US- US- US- US- US- US- US- US- US- US-				

**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Document Number (Country Code-Number-Kind Code)	Publication Date (MM-DD-YYYY)	Name Of Patentee of Applicant	Translation? Yes/No/n/a
	WO 00/28760 WO 01/17283 A2 - - - - - - - -	05-18-2000 03-08-2001	Salonen et al. Telefonaktiebolaget LM Ericson	

**OTHER DOCUMENTS (Author (Capitalize), Title, Date, Pages, Etc., if known)**


Examiner's Signature: /Huy Phan/

Date Considered: 03/24/2010

Initial if reference was considered, whether or not citation is in conformance with MPEP. Mark through citation if not considered.  
Include a copy of this citation form with your next correspondence to the Applicant(s).

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /H.P./

## 拒絶理由通知書

特許出願の番号 特願 2006-538875  
起案日 平成 20 年 10 月 24 日  
特許庁審査官 桑原 聡一 3984 5J00  
特許出願人代理人 川守田 光紀 様  
適用条文 第 29 条第 2 項

この出願は、次の理由によって拒絶をすべきものです。これについて意見がありましたら、この通知書の発送の日から 3 か月以内に意見書を提出してください。

### 理 由

#### 理由 A

この出願の下記の請求項に係る発明は、その出願前に日本国内又は外国において、頒布された下記の刊行物に記載された発明又は電気通信回線を通じて公衆に利用可能となった発明に基いて、その出願前にその発明の属する技術の分野における通常の知識を有する者が容易に発明をすることができたものであるから、特許法第 29 条第 2 項の規定により特許を受けることができない。

記 (引用文献等については引用文献等一覧参照)

請求項：1-18

引用文献：1、2

備考：

引用文献 1（特に、第 13-17、28 段落参照）または引用文献 2（特に、第 37-41 段落参照）には、TFCI の追加／削除に伴って TFCI を再割り当てすることにより、TFCI の転送に必要なビット数を可変とし、TFCI の情報量を必要最小限にすることが記載されている。

そして、TFCI の再割り当てにおいて、TFCI の番号を小さい値から順に割り当てる際に、値の小さい TFCI から不要な値を削除して空いた TFCI に次の TFCI を割り当てるように処理するようにすることは当業者が適宜行うべき設計事項であり、そのような構成とすることに格別の効果ならびに困難性は認められない。

よって、引用文献 1 または 2 に基づいて本願発明のように構成することは当業者が容易に想到し得たことである。



## Notification of reason of rejection

(Translation has been performed only for the relevant portions.)

Application number	2006-538875
Date of drafting	24 October 2008
Date of transmission	5 November 2008
Examiner	KUWAHARA, Soici
Agent	KAWAMORITA, Koki
Relevant articles of the patent law	Article 29 (2) "Inventive steps"
Due date for filing response	5 February 2009

This patent application cannot be granted because of the following reasons. The applicant is invited to make argument and amendment within 3 month from the date of transmission of this letter.

### Reason A (inventive steps):

The inventions of the following claims can be created easily by those who skilled in the art based on the following document. Therefore this patent application cannot be patented in accordance with the article 29(2) of Patent Law.

#### *Article 29 (Conditions for Patentability)*

*(1) An inventor of an invention that is industrially applicable may be entitled to obtain a patent for the said invention, except for the following:*

- (i) inventions that were publicly known in Japan or a foreign country, prior to the filing of the patent application;*
- (ii) inventions that were publicly worked in Japan or a foreign country, prior to the filing of the patent application; or*
- (iii) inventions that were described in a distributed publication, or inventions that were made publicly available through an electric telecommunication line in Japan or a foreign country, prior to the filing of the patent application.*

*(2) Where, prior to the filing of the patent application, a person ordinarily skilled in the art of the invention would have been able to easily make the invention based on an invention prescribed in any of the items of the preceding paragraph, a patent shall not be granted for such an invention notwithstanding the preceding paragraph.*

**List of cited documents:**

1. JP2002-530027T (WO00/28760)
2. JP2003-508983T (WO01/17283)

Totally two documents

**Comments:**

Citations 1 and 2 disclose to reallocate TFCI upon removal or addition of TFCI so as to make the number of bits for transmitting TFCI variable and to make the amount of information of TFCI minimize. Especially, see paragraphs 0013-0017 and 0028 of citation 1 (= page 3 line 34 - page 4 line 35, and page 7 lines 22-33 of WO00/28760), and paragraphs 0037-0041 of citation 2 (= page 10 line 1 - page 11 line 7 of WO01/17283).

Upon reallocating TFCI from the lower position to higher position in order, it would be an ordinal skill of a skilled person to delete unnecessary values from lower-TFCI and to allocate the next TFCI to the vacant TFCI. The examiner could not find any difficulties and any special advantages to make the construction as such.

Therefore, a skilled person could be able to create the inventions of current claims easily based on citations 1 and 2.

**END**

Translation note: the translations of the listed articles of the patent law are copied from a web page of a governmental translation project.  
(<http://www.cas.go.jp/jp/seisaku/hourei/data2.html>)

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**Prior art search log**

Searched field:           IPC Version 8  
                              H04B 7/24 - 7/26  
                              H04Q 7/00 - 7/38